

HB1111_L.003

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health, Insurance & Environment.HB13-1111 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** article 37.3 to
4 title 12 as follows:

ARTICLE 37.3

Naturopathic Doctors

7 **12-37.3-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND
8 MAY BE CITED AS THE "NATUROPATHIC DOCTOR ACT".

9 **12-37.3-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
10 CONTEXT OTHERWISE REQUIRES:

11 (1) "ADVISORY COMMITTEE" MEANS THE NATUROPATHIC MEDICINE
12 ADVISORY COMMITTEE CREATED IN SECTION 12-37.3-103.

13 (2) "APPROVED CLINICAL TRAINING" MEANS CLINICAL TRAINING
14 IN NATUROPATHIC MEDICINE IN AN INPATIENT OR OUTPATIENT SETTING
15 THAT HAS BEEN APPROVED BY THE DIRECTOR. "APPROVED CLINICAL
16 TRAINING" MAY INCLUDE COMPONENTS OF ALLOPATHIC MEDICINE IN
17 ADDITION TO NATUROPATHIC MEDICINE.

18 (3) "APPROVED NATUROPATHIC MEDICAL COLLEGE" MEANS:

19 (a) A NATUROPATHIC MEDICAL EDUCATION PROGRAM IN THE
20 UNITED STATES OR CANADA THAT GRANTS THE DEGREE OF DOCTOR OF
21 NATUROPATHIC MEDICINE OR DOCTOR OF NATUROPATHY AND THAT:

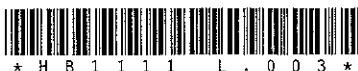
22 (I) IS APPROVED BY THE DIRECTOR;

23 (II) OFFERS GRADUATE-LEVEL, FULL-TIME DIDACTIC AND
24 SUPERVISED CLINICAL TRAINING; AND

25 (III) IS ACCREDITED OR HAS ACHIEVED CANDIDACY STATUS FOR
26 ACCREDITATION BY THE COUNCIL ON NATUROPATHIC MEDICAL EDUCATION
27 OR AN EQUIVALENT ACCREDITING BODY FOR NATUROPATHIC MEDICAL
28 PROGRAMS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
29 EDUCATION; OR

30 (b) ANY OTHER COLLEGE OR PROGRAM APPROVED BY THE
31 DIRECTOR AND ACCREDITED BY THE COUNCIL ON NATUROPATHIC MEDICAL
32 EDUCATION OR ITS SUCCESSOR ENTITY.

33 (4) "CONTINUING PROFESSIONAL COMPETENCY" MEANS THE
34 ONGOING ABILITY OF A NATUROPATHIC DOCTOR TO LEARN, INTEGRATE,
35 AND APPLY THE KNOWLEDGE, SKILL, AND JUDGMENT TO PRACTICE AS A
36 NATUROPATHIC DOCTOR ACCORDING TO GENERALLY ACCEPTED
37 STANDARDS AND PROFESSIONAL ETHICAL STANDARDS.



1 (5) "DIRECTOR" MEANS THE DIRECTOR OF THE DIVISION.

2 (6) "DIVISION" MEANS THE DIVISION OF PROFESSIONS AND
3 OCCUPATIONS IN THE DEPARTMENT OF REGULATORY AGENCIES.

4 (7) "HOMEOPATHIC PREPARATIONS" MEANS MEDICINES PREPARED
5 ACCORDING TO THE MOST CURRENT VERSION OF THE HOMEOPATHIC
6 PHARMACOPOEIA OF THE UNITED STATES, REVISED SERVICES.

7 (8) "NATURAL HEALTH CARE PRACTITIONER", "NATURAL HEALTH
8 CARE PROVIDER", "UNLICENSED COMPLIMENTARY OR ALTERNATIVE
9 HEALTH CARE PRACTITIONER", "HOMEOPATH", "TRADITIONAL
10 NATUROPATH", OR "HERBALIST" MEANS A PERSON WHO ADVISES IN THE
11 USE OF NATURAL HEALTH CARE PRODUCTS OR WHO PROVIDES NATURAL
12 HEALTH CARE SERVICES OR THERAPIES, INCLUDING HOMEOPATHY, DIET
13 GUIDANCE AND INFORMATION, HERBS OR SUPPLEMENTS, PATIENT
14 EDUCATION, WELLNESS GUIDANCE, AND OTHER NATURAL REMEDIES.

15 (9) "NATUROPATHIC DOCTOR" OR "REGISTRANT" MEANS A PERSON
16 WHO IS REGISTERED BY THE DIRECTOR TO PRACTICE NATUROPATHIC
17 MEDICINE PURSUANT TO THIS ARTICLE.

18 (10) "NATUROPATHIC FORMULARY" MEANS THE LIST OF
19 NONPRESCRIPTION CLASSES OF MEDICINES DETERMINED BY THE DIRECTOR
20 THAT NATUROPATHIC DOCTORS USE IN THE PRACTICE OF NATUROPATHIC
21 MEDICINE.

22 (11) (a) "NATUROPATHIC MEDICINE", AS PERFORMED BY A
23 NATUROPATHIC DOCTOR, MEANS A SYSTEM OF HEALTH CARE FOR THE
24 PREVENTION, DIAGNOSIS, EVALUATION, AND TREATMENT OF INJURIES,
25 DISEASES, AND CONDITIONS OF THE HUMAN BODY; THE PROMOTION OR
26 RESTORATION OF HEALTH; AND THE SUPPORT AND STIMULATION OF A
27 PATIENT'S INHERENT SELF-HEALING PROCESSES.

28 (b) "NATUROPATHIC MEDICINE" INCLUDES NATUROPATHIC
29 PHYSICAL MEDICINE, WHICH CONSISTS OF NATUROPATHIC MANUAL
30 THERAPY, THE THERAPEUTIC USE OF THE PHYSICAL AGENTS OF AIR,
31 WATER, HEAT, COLD, SOUND, LIGHT, TOUCH, AND ELECTROMAGNETIC
32 NONIONIZING RADIATION, AND THE PHYSICAL MODALITIES OF
33 ELECTROTHERAPY, DIATHERMY, ULTRAVIOLET LIGHT, ULTRASOUND,
34 HYDROTHERAPY, AND EXERCISE.

35 **12-37.3-103. Naturopathic medicine advisory committee -**
36 **creation - membership - duties.** (1) (a) THE NATUROPATHIC MEDICINE
37 ADVISORY COMMITTEE IS HEREBY CREATED IN THE DEPARTMENT OF
38 REGULATORY AGENCIES AS THE ENTITY RESPONSIBLE FOR ADVISING THE
39 DIRECTOR IN THE REGULATION OF THE PRACTICE OF NATUROPATHIC
40 MEDICINE BY NATUROPATHIC DOCTORS AND THE IMPLEMENTATION OF THIS
41 ARTICLE.

1 (b) (I) THE ADVISORY COMMITTEE CONSISTS OF SEVEN MEMBERS
2 APPOINTED BY THE GOVERNOR AS FOLLOWS:
3 (A) THREE MEMBERS WHO ARE NATUROPATHIC DOCTORS;
4 (B) ONE MEMBER WHO IS A DOCTOR OF MEDICINE OR OSTEOPATHY
5 LICENSED PURSUANT TO ARTICLE 36 OF THIS TITLE;
6 (C) ONE MEMBER WHO IS A PHARMACIST LICENSED PURSUANT TO
7 ARTICLE 42.5 OF THIS TITLE; AND
8 (D) TWO MEMBERS FROM THE PUBLIC AT LARGE. THE GOVERNOR
9 SHALL MAKE REASONABLE EFFORTS TO APPOINT PUBLIC MEMBERS WHO
10 ARE OR HAVE BEEN CONSUMERS OF NATUROPATHIC MEDICINE.
11 (II) THE GOVERNOR SHALL APPOINT MEMBERS TO THE ADVISORY
12 COMMITTEE NO LATER THAN JANUARY 1, 2014.
13 (c) (I) EACH MEMBER OF THE ADVISORY COMMITTEE HOLDS OFFICE
14 UNTIL THE EXPIRATION OF THE MEMBER'S APPOINTED TERM OR UNTIL A
15 SUCCESSOR IS DULY APPOINTED. EXCEPT AS SPECIFIED IN SUBPARAGRAPH
16 (II) OF THIS PARAGRAPH (c), THE TERM OF OFFICE OF EACH MEMBER IS
17 FOUR YEARS, AND AN ADVISORY COMMITTEE MEMBER SHALL NOT SERVE
18 MORE THAN TWO CONSECUTIVE FOUR-YEAR TERMS. THE GOVERNOR SHALL
19 FILL A VACANCY OCCURRING ON THE ADVISORY COMMITTEE, OTHER THAN
20 BY EXPIRATION OF A TERM, BY APPOINTMENT FOR THE UNEXPIRED TERM
21 OF THE MEMBER.
22 (II) TO ENSURE STAGGERED TERMS OF OFFICE, THE INITIAL TERM
23 OF OFFICE OF ONE OF THE NATUROPATHIC DOCTOR MEMBERS, THE
24 PHARMACIST MEMBER, AND ONE OF THE MEMBERS REPRESENTING THE
25 PUBLIC IS TWO YEARS. THESE MEMBERS ARE ELIGIBLE TO SERVE ONE
26 ADDITIONAL FOUR-YEAR TERM OF OFFICE. ON AND AFTER THE EXPIRATION
27 OF THESE MEMBERS' TERMS, THE TERM OF OFFICE OF PERSONS APPOINTED
28 TO THESE POSITIONS ON THE ADVISORY COMMITTEE IS AS DESCRIBED IN
29 SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), COMMENCING ON JANUARY
30 1 OF THE APPLICABLE YEAR.
31 (d) THE GOVERNOR MAY REMOVE ANY ADVISORY COMMITTEE
32 MEMBER FOR MISCONDUCT, INCOMPETENCE, OR NEGLECT OF DUTY.
33 (2) THE ADVISORY COMMITTEE SHALL ADVISE THE DIRECTOR IN
34 THE ADMINISTRATION AND ENFORCEMENT OF THIS ARTICLE AND RULES
35 ADOPTED UNDER THIS ARTICLE.
36 (3) MEMBERS OF THE ADVISORY COMMITTEE SHALL NOT RECEIVE
37 COMPENSATION FOR THEIR SERVICES BUT ARE ENTITLED TO
38 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES THEY INCUR IN
39 PERFORMING THEIR DUTIES.
40 **12-37.3-104. Director powers and duties.** (1) IN ADDITION TO
41 ANY OTHER POWERS AND DUTIES GRANTED OR IMPOSED ON THE DIRECTOR

1 UNDER THIS ARTICLE, THE DIRECTOR SHALL:

2 (a) ADOPT RULES NECESSARY TO ADMINISTER THIS ARTICLE;

3 (b) ESTABLISH THE FORM AND MANNER IN WHICH APPLICANTS ARE
4 TO APPLY FOR A NEW REGISTRATION OR TO RENEW A REGISTRATION;

5 (c) RECEIVE, REVIEW, AND APPROVE OR DENY APPLICATIONS FOR
6 REGISTRATIONS AND ISSUE AND RENEW REGISTRATIONS UNDER THIS
7 ARTICLE;

8 (d) ESTABLISH FEES FOR REGISTRATION APPLICATIONS AND
9 RENEWAL APPLICATIONS IN THE MANNER AUTHORIZED BY SECTION
10 24-34-105, C.R.S.;

11 (e) CONDUCT INVESTIGATIONS, HOLD HEARINGS, TAKE EVIDENCE,
12 AND PURSUE DISCIPLINARY ACTIONS PURSUANT TO SECTION 12-37.3-112
13 WITH RESPECT TO COMPLAINTS AGAINST NATUROPATHIC DOCTORS WHEN
14 THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A
15 NATUROPATHIC DOCTOR IS VIOLATING THIS ARTICLE OR RULES ADOPTED
16 PURSUANT TO THIS ARTICLE, AND TO SUBPOENA WITNESSES, ADMINISTER
17 OATHS, AND COMPEL THE TESTIMONY OF WITNESSES AND THE PRODUCTION
18 OF BOOKS, PAPERS, AND RECORDS RELEVANT TO THOSE INVESTIGATIONS
19 OR HEARINGS. ANY SUBPOENA ISSUED PURSUANT TO THIS ARTICLE IS
20 ENFORCEABLE BY THE DISTRICT COURT.

21 (f) PERFORM OTHER FUNCTIONS AND DUTIES NECESSARY TO
22 ADMINISTER THIS ARTICLE.

23 **12-37.3-105. Practice of naturopathic medicine by**
24 **naturopathic doctors - exclusions - protected activities - rules.**

25 (1) THE PRACTICE OF NATUROPATHIC MEDICINE BY A NATUROPATHIC
26 DOCTOR INCLUDES THE FOLLOWING:

27 (a) THE PREVENTION AND TREATMENT OF HUMAN INJURY, DISEASE,
28 OR CONDITIONS THROUGH EDUCATION OR DIETARY OR NUTRITIONAL
29 ADVICE, AND THE PROMOTION OF HEALTHY WAYS OF LIVING;

30 (b) THE USE OF PHYSICAL EXAMINATIONS AND THE ORDERING OF
31 CLINICAL, LABORATORY, AND RADIOLOGICAL DIAGNOSTIC PROCEDURES
32 FROM LICENSED OR CERTIFIED HEALTH CARE FACILITIES OR LABORATORIES
33 FOR THE PURPOSE OF DIAGNOSING AND EVALUATING INJURIES, DISEASES,
34 AND CONDITIONS IN THE HUMAN BODY; OR

35 (c) DISPENSING, ADMINISTERING, ORDERING, AND PRESCRIBING
36 MEDICINES LISTED IN THE NATUROPATHIC FORMULARY.

37 (2) A NATUROPATHIC DOCTOR SHALL NOT:

38 (a) PRESCRIBE, DISPENSE, ADMINISTER, OR INJECT A CONTROLLED
39 SUBSTANCE OR DEVICE IDENTIFIED IN THE FEDERAL "CONTROLLED
40 SUBSTANCES ACT", 21 U.S.C. SEC. 801 ET SEQ., AS AMENDED.

41 (b) PERFORM SURGICAL PROCEDURES, INCLUDING SURGICAL

1 PROCEDURES USING A LASER DEVICE;
2 (c) USE GENERAL OR SPINAL ANESTHETICS, OTHER THAN TOPICAL
3 ANESTHETICS;
4 (d) ADMINISTER IONIZING RADIOACTIVE SUBSTANCES FOR
5 THERAPEUTIC PURPOSES;
6 (e) TREAT A CHILD WHO IS LESS THAN TWO YEARS OF AGE;
7 (f) TREAT A CHILD WHO IS TWO YEARS OF AGE OR OLDER BUT LESS
8 THAN EIGHT YEARS OF AGE, UNLESS THE NATUROPATHIC DOCTOR:
9 (I) DEMONSTRATES SUCCESSFUL COMPLETION OF THREE HOURS
10 PER YEAR OF EDUCATION OR PRACTICUM TRAINING SOLELY RELATED TO
11 PEDIATRICS IN ACCORDANCE WITH CONTINUING PROFESSIONAL
12 COMPETENCY REQUIREMENTS APPROVED BY THE DIRECTOR PURSUANT TO
13 SECTION 12-37.3-108; AND
14 (II) REQUIRES THE CHILD'S PARENT OR LEGAL GUARDIAN TO SIGN
15 AN INFORMED CONSENT THAT:
16 (A) DISCLOSES THAT THE NATUROPATHIC DOCTOR IS REGISTERED
17 PURSUANT TO THIS ARTICLE;
18 (B) DISCLOSES THAT THE NATUROPATHIC DOCTOR IS NOT A
19 PHYSICIAN LICENSED PURSUANT TO ARTICLE 36 OF THIS TITLE;
20 (C) RECOMMENDS THAT THE CHILD HAVE A RELATIONSHIP WITH
21 A LICENSED PHYSICIAN WHO IS A BOARD-CERTIFIED PEDIATRICIAN; AND
22 (D) IF THE CHILD HAS A RELATIONSHIP WITH A BOARD-CERTIFIED
23 PEDIATRICIAN, REQUESTS PERMISSION FROM THE PARENT OR LEGAL
24 GUARDIAN FOR THE NATUROPATHIC DOCTOR TO ATTEMPT TO DEVELOP
25 AND MAINTAIN A COLLABORATIVE RELATIONSHIP WITH THE PEDIATRICIAN,
26 AS DEFINED BY DIRECTOR RULES;
27 (g) ENGAGE IN OR PERFORM THE PRACTICE OF MEDICINE, SURGERY,
28 OR ANY OTHER FORM OF HEALING EXCEPT AS AUTHORIZED BY THIS
29 ARTICLE;
30 (h) PRACTICE OBSTETRICS;
31 (i) RECOMMEND THE DISCONTINUATION OF, OR COUNSEL AGAINST,
32 A COURSE OF CARE, INCLUDING A PRESCRIPTION DRUG THAT WAS
33 RECOMMENDED OR PRESCRIBED BY ANOTHER HEALTH CARE PRACTITIONER
34 LICENSED IN THIS STATE;
35 (j) TREAT CANCER;
36 (k) USE CHELATORS;
37 (l) PERFORM INVASIVE PROCEDURES; OR
38 (m) PERFORM ENEMAS OR COLONIC IRRIGATION.

39 (3) NOTHING IN THIS ARTICLE PROHIBITS OR RESTRICTS:
40 (a) A PERSON WHO IS LICENSED, CERTIFIED, OR REGISTERED TO

1 PRACTICE A PROFESSION OR OCCUPATION UNDER ANY OTHER LAW FROM
2 ENGAGING IN ACTIVITIES THAT ARE WITHIN THE LAWFUL SCOPE OF
3 PRACTICE FOR THE PROFESSION OR OCCUPATION FOR WHICH THE PERSON
4 IS LICENSED, CERTIFIED, OR REGISTERED;

5 (b) THE PRACTICE OF NATUROPATHIC MEDICINE BY A PERSON
6 EMPLOYED BY THE FEDERAL GOVERNMENT WHILE THE PERSON IS ENGAGED
7 IN THE PERFORMANCE OF HIS OR HER DUTIES;

8 (c) THE PRACTICE OF NATUROPATHIC MEDICINE BY STUDENTS
9 ENROLLED IN AN APPROVED NATUROPATHIC MEDICAL COLLEGE IF THE
10 PERFORMANCE OF SERVICES IS PURSUANT TO A COURSE OF INSTRUCTION
11 OR ASSIGNMENTS FROM AND UNDER THE SUPERVISION OF AN INSTRUCTOR
12 WHO IS A NATUROPATHIC DOCTOR OR A LICENSED PROFESSIONAL IN THE
13 FIELD IN WHICH HE OR SHE IS PROVIDING INSTRUCTION;

14 (d) ANY PERSON FROM ADMINISTERING A DOMESTIC OR FAMILY
15 REMEDY TO ONESELF OR A MEMBER OF HIS OR HER IMMEDIATE FAMILY
16 BASED ON RELIGIOUS OR HEALTH BELIEFS;

17 (e) ANY PERSON FROM RENDERING AID IN AN EMERGENCY WHEN
18 NO FEE OR OTHER CONSIDERATION OF VALUE FOR THE SERVICES IS
19 CHARGED, RECEIVED, EXPECTED, OR CONTEMPLATED; OR

20 (f) ANY PERSON ENGAGED IN SELLING VITAMINS, HEALTH FOODS,
21 DIETARY SUPPLEMENTS, HERBS, OR OTHER NATURAL PRODUCTS, THE SALE
22 OF WHICH IS NOT OTHERWISE PROHIBITED BY STATE OR FEDERAL LAW,
23 FROM SELLING OR PROVIDING INFORMATION ABOUT THE PRODUCTS.

24 (4) (a) A NATUROPATHIC DOCTOR HAS THE SAME AUTHORITY AND
25 IS SUBJECT TO THE SAME RESPONSIBILITIES AS A LICENSED PHYSICIAN
26 UNDER PUBLIC HEALTH LAWS PERTAINING TO REPORTABLE DISEASES AND
27 CONDITIONS, COMMUNICABLE DISEASE CONTROL AND PREVENTION, AND
28 RECORDING OF VITAL STATISTICS AND HEALTH AND PHYSICAL
29 EXAMINATIONS, SUBJECT TO THE LIMITATIONS OF THE SCOPE OF PRACTICE
30 OF A NATUROPATHIC DOCTOR AS SPECIFIED IN THIS ARTICLE.

31 (b) BEFORE CONDUCTING AN INITIAL EXAMINATION OF A PATIENT,
32 A NATUROPATHIC DOCTOR SHALL OBTAIN THE PATIENT'S INFORMED
33 CONSENT TO THE EXAMINATION, EVIDENCED BY A WRITTEN STATEMENT IN
34 A FORM PRESCRIBED BY THE DIRECTOR AND SIGNED BY BOTH THE PATIENT
35 AND THE NATUROPATHIC DOCTOR.

36 (c) A NATUROPATHIC DOCTOR SHALL COMMUNICATE AND
37 COOPERATE WITH A PATIENT'S OTHER HEALTH CARE PROVIDERS, IF ANY, TO
38 ENSURE THAT THE PATIENT RECEIVES COORDINATED CARE.

39 (d) A NATUROPATHIC DOCTOR SHALL REFER A PATIENT TO
40 ANOTHER HEALTH CARE PROFESSIONAL IF THE PATIENT'S NEEDS ARE
41 BEYOND THE NATUROPATHIC DOCTOR'S SCOPE OF KNOWLEDGE AND

1 PRACTICE.

2 (5) THIS ARTICLE DOES NOT PROHIBIT A PERSON LICENSED OR
3 OTHERWISE AUTHORIZED TO PRACTICE AS A NATUROPATHIC DOCTOR IN
4 ANOTHER STATE OR DISTRICT IN THE UNITED STATES FROM CONSULTING
5 WITH A NATUROPATHIC DOCTOR IN THIS STATE, AS LONG AS THE
6 CONSULTATION IS LIMITED TO EXAMINATION, RECOMMENDATION, OR
7 TESTIMONY IN LITIGATION.

8 (6) A PERSON WHO IS NOT REGISTERED AS A NATUROPATHIC
9 DOCTOR UNDER THIS ARTICLE AND WHO PROVIDES NATURAL HEALTH CARE
10 SERVICES OR ADVISES IN THE USE OF NATURAL HEALTH CARE PRODUCTS OR
11 THERAPIES MAY HOLD HIMSELF OR HERSELF OUT AND PRACTICE AS A
12 NATURAL HEALTH CARE PROVIDER, A NATURAL HEALTH CARE
13 PRACTITIONER, AN UNLICENSED COMPLEMENTARY OR ALTERNATIVE
14 HEALTH CARE PRACTITIONER, A HOMEOPATH, A TRADITIONAL
15 NATUROPATH, AN HERBALIST, A PRACTITIONER OF ANOTHER NATURAL
16 HEALTH CARE VOCATION, OR ANY OTHER TITLE THAT DESCRIBES THE
17 PRACTICE OR SERVICES BEING PROVIDED.

18 **12-37.3-106. Registration required - qualifications -**
19 **examination - registration by endorsement - rules.** (1) EFFECTIVE
20 JUNE 1, 2014, A PERSON SHALL NOT PRACTICE AS A NATUROPATHIC
21 DOCTOR IN THIS STATE WITHOUT A REGISTRATION.

22 (2) AN APPLICANT FOR A REGISTRATION TO PRACTICE AS A
23 NATUROPATHIC DOCTOR IN THIS STATE SHALL SUBMIT AN APPLICATION TO
24 THE DIRECTOR IN A FORM AND MANNER DETERMINED BY THE DIRECTOR BY
25 RULE, ACCOMPANIED BY THE FEE REQUIRED PURSUANT TO SECTION
26 12-37.3-104 (1) (d). THE DIRECTOR SHALL ISSUE A REGISTRATION TO
27 PRACTICE AS A NATUROPATHIC DOCTOR TO AN APPLICANT UPON RECEIPT
28 OF SATISFACTORY PROOF THAT THE APPLICANT:

29 (a) IS AT LEAST TWENTY-ONE YEARS OF AGE AND OF GOOD MORAL
30 CHARACTER;

31 (b) HAS OBTAINED A BACCALAUREATE DEGREE FROM AN
32 ACCREDITED EDUCATIONAL INSTITUTION OR ITS EQUIVALENT, AS
33 DETERMINED BY THE DIRECTOR;

34 (c) HAS GRADUATED FROM AND HOLDS A DOCTOR OF
35 NATUROPATHIC MEDICINE OR DOCTOR OF NATUROPATHY DEGREE FROM AN
36 APPROVED NATUROPATHIC MEDICAL COLLEGE;

37 (d) HAS SUCCESSFULLY PASSED EITHER A DIRECTOR-APPROVED
38 EXAMINATION OR A COMPREHENSIVE COMPETENCY-BASED NATIONAL
39 NATUROPATHIC LICENSING EXAMINATION ADMINISTERED BY THE NORTH
40 AMERICAN BOARD OF NATUROPATHIC EXAMINERS OR A NATIONALLY
41 RECOGNIZED, DIRECTOR-APPROVED SUCCESSOR ENTITY, AS DETERMINED

1 BY THE DIRECTOR BY RULE; AND

2 (e) HAS NOT HAD A LICENSE OR OTHER AUTHORIZATION TO
3 PRACTICE AS A NATUROPATHIC DOCTOR OR OTHER HEALTH CARE LICENSE,
4 REGISTRATION, OR CERTIFICATION DENIED, REVOKED, OR SUSPENDED BY
5 COLORADO OR ANY OTHER JURISDICTION FOR REASONS THAT RELATE TO
6 THE APPLICANT'S ABILITY TO SKILLFULLY AND SAFELY PRACTICE
7 NATUROPATHIC MEDICINE, UNLESS THE LICENSE, REGISTRATION, OR
8 CERTIFICATION IS REINSTATED TO GOOD STANDING BY COLORADO OR
9 ANOTHER JURISDICTION.

10 (3) THE DIRECTOR MAY ISSUE A REGISTRATION BY ENDORSEMENT
11 TO ENGAGE IN THE PRACTICE OF NATUROPATHIC MEDICINE TO AN
12 APPLICANT WHO HAS A LICENSE, CERTIFICATION, OR REGISTRATION IN
13 GOOD STANDING AS A NATUROPATHIC DOCTOR UNDER THE LAWS OF
14 ANOTHER JURISDICTION IF THE APPLICANT PRESENTS SATISFACTORY PROOF
15 TO THE DIRECTOR THAT, AT THE TIME OF APPLICATION FOR A COLORADO
16 REGISTRATION BY ENDORSEMENT, THE APPLICANT POSSESSES
17 CREDENTIALS AND QUALIFICATIONS THAT ARE SUBSTANTIALLY
18 EQUIVALENT TO THE REQUIREMENTS OF THIS SECTION. THE DIRECTOR MAY
19 ADOPT RULES CONCERNING THE NECESSARY APPLICANT CREDENTIALS AND
20 QUALIFICATIONS.

21 **12-37.3-107. Registration renewal or reinstatement - fees.** A
22 NATUROPATHIC DOCTOR SHALL RENEW OR REINSTATE HIS OR HER
23 REGISTRATION PURSUANT TO A SCHEDULE ESTABLISHED BY THE DIRECTOR,
24 AND THE DIRECTOR SHALL RENEW OR REINSTATE A REGISTRATION IN
25 ACCORDANCE WITH SECTION 24-34-102 (8), C.R.S. THE DIRECTOR MAY
26 ESTABLISH RENEWAL FEES AND DELINQUENCY FEES FOR REINSTATEMENT
27 PURSUANT TO SECTION 24-34-105, C.R.S., AND SHALL INCREASE RENEWAL
28 FEES CONSISTENT WITH SECTION 24-34-109 (4), C.R.S., TO FUND THE
29 DIVISION'S COSTS IN ADMINISTERING THIS ARTICLE. IF A PERSON FAILS TO
30 RENEW HIS OR HER REGISTRATION PURSUANT TO THE SCHEDULE
31 ESTABLISHED BY THE DIRECTOR, THE REGISTRATION EXPIRES. A PERSON
32 WHOSE REGISTRATION EXPIRES IS SUBJECT TO THE PENALTIES PROVIDED
33 IN THIS ARTICLE OR SECTION 24-34-102 (8), C.R.S. THE DIRECTOR SHALL
34 TRANSMIT FEES COLLECTED PURSUANT TO THIS SECTION OR SECTION
35 12-37.3-106 TO THE STATE TREASURER FOR DEPOSIT IN THE DIVISION OF
36 PROFESSIONS AND OCCUPATIONS CASH FUND PURSUANT TO SECTION
37 24-34-105, C.R.S.

38 **12-37.3-108. Continuing professional competency - rules.**

39 (1) (a) A NATUROPATHIC DOCTOR SHALL MAINTAIN CONTINUING
40 PROFESSIONAL COMPETENCY TO PRACTICE NATUROPATHIC MEDICINE.

41 (b) THE DIRECTOR SHALL ADOPT RULES ESTABLISHING A

1 CONTINUING PROFESSIONAL COMPETENCY PROGRAM THAT INCLUDES, AT
2 A MINIMUM, THE FOLLOWING ELEMENTS:

3 (I) A SELF-ASSESSMENT OF THE KNOWLEDGE AND SKILLS OF A
4 NATUROPATHIC DOCTOR SEEKING TO RENEW OR REINSTATE A
5 REGISTRATION;

6 (II) DEVELOPMENT, EXECUTION, AND DOCUMENTATION OF A
7 LEARNING PLAN BASED ON THE ASSESSMENT; AND

8 (III) PERIODIC DEMONSTRATION OF KNOWLEDGE AND SKILLS
9 THROUGH DOCUMENTATION OF ACTIVITIES NECESSARY TO ENSURE
10 CONTINUING COMPETENCY IN THE PROFESSION; EXCEPT THAT A
11 NATUROPATHIC DOCTOR NEED NOT RETAKE ANY EXAMINATION REQUIRED
12 BY SECTION 12-37.3-106 (2) (d) FOR INITIAL REGISTRATION.

13 (c) THE DIRECTOR SHALL ESTABLISH THAT A NATUROPATHIC
14 DOCTOR SATISFIES THE CONTINUING COMPETENCY REQUIREMENTS OF THIS
15 SECTION IF THE NATUROPATHIC DOCTOR MEETS THE CONTINUING
16 PROFESSIONAL COMPETENCY REQUIREMENTS OF ONE OF THE FOLLOWING
17 ENTITIES:

18 (I) A STATE DEPARTMENT, INCLUDING CONTINUING PROFESSIONAL
19 COMPETENCY REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
20 ARRANGEMENT WITH A PROVIDER;

21 (II) AN ACCREDITING BODY RECOGNIZED BY THE DIRECTOR; OR

22 (III) AN ENTITY APPROVED BY THE DIRECTOR.

23 (d) (I) AFTER THE PROGRAM IS ESTABLISHED, A NATUROPATHIC
24 DOCTOR SHALL SATISFY THE REQUIREMENTS OF THE PROGRAM IN ORDER
25 TO RENEW OR REINSTATE A REGISTRATION TO PRACTICE NATUROPATHIC
26 MEDICINE.

27 (II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
28 NATUROPATHIC DOCTORS, AND NOTHING IN THIS SECTION REQUIRES A
29 PERSON WHO EMPLOYS OR CONTRACTS WITH A NATUROPATHIC DOCTOR TO
30 COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

31 (2) RECORDS OF ASSESSMENTS OR OTHER DOCUMENTATION
32 DEVELOPED OR SUBMITTED IN CONNECTION WITH THE CONTINUING
33 PROFESSIONAL COMPETENCY PROGRAM ARE CONFIDENTIAL AND NOT
34 SUBJECT TO INSPECTION BY THE PUBLIC OR DISCOVERY IN CONNECTION
35 WITH A CIVIL ACTION AGAINST A NATUROPATHIC DOCTOR. NEITHER THE
36 DIRECTOR NOR ANY OTHER PERSON SHALL USE THE RECORDS OR
37 DOCUMENTS UNLESS USED BY THE DIRECTOR TO DETERMINE WHETHER A
38 NATUROPATHIC DOCTOR IS MAINTAINING CONTINUING PROFESSIONAL
39 COMPETENCY TO ENGAGE IN THE PROFESSION.

40 **12-37.3-109. Compliance with transparency requirements. A**
41 NATUROPATHIC DOCTOR SHALL COMPLY WITH SECTION 24-34-110, C.R.S.,

1 REGARDING THE DISCLOSURE OF INFORMATION TO THE DIRECTOR.
2 **12-37.3-110. Persons entitled to practice as naturopathic**
3 **doctors - title protection for naturopathic doctors.** (1) A PERSON
4 SHALL NOT HOLD HIMSELF OR HERSELF OUT AS A NATUROPATHIC DOCTOR
5 OR USE ANY OF THE TITLES OR INITIALS REFERRED TO IN SUBSECTION (2)
6 OF THIS SECTION UNLESS THE PERSON IS REGISTERED AS A NATUROPATHIC
7 DOCTOR PURSUANT TO THIS ARTICLE.

8 (2) A NATUROPATHIC DOCTOR MAY USE THE TITLE
9 "NATUROPATHIC DOCTOR", OR "DOCTOR OF NATUROPATHY", OR THE
10 INITIALS "N.D."

11 (3) A NATUROPATHIC DOCTOR SHALL NOT USE:

- 12 (a) THE TERM "PHYSICIAN";
13 (b) THE ABBREVIATIONS "NMD" OR "N.M.D.";
14 (c) THE TERM "DOCTOR" UNLESS DIRECTLY PRECEDED BY THE
15 TERM "NATUROPATHIC"; OR
16 (d) THE TERM "NATUROPATHIC MEDICAL DOCTOR".

17 (4) NOTHING IN THIS SECTION PREVENTS A NATUROPATHIC DOCTOR
18 FROM DISCLOSING MEMBERSHIP IN NATIONAL ORGANIZATIONS OR
19 ASSOCIATIONS OF NATUROPATHIC PHYSICIANS.

20 **12-37.3-111. Disclosures - record-keeping.** (1) A
21 NATUROPATHIC DOCTOR SHALL PROVIDE THE FOLLOWING INFORMATION
22 IN WRITING TO EACH PATIENT IN A FORMAT REQUIRED BY THE DIRECTOR:

- 23 (a) THE NATUROPATHIC DOCTOR'S NAME, BUSINESS ADDRESS, AND
24 TELEPHONE NUMBER;
25 (b) THE NATURE OF THE SERVICES TO BE PROVIDED;
26 (c) A STATEMENT THAT NATUROPATHIC DOCTORS ARE REGISTERED
27 BY THE STATE TO PRACTICE NATUROPATHIC MEDICINE UNDER THE
28 "NATUROPATHIC DOCTOR ACT";
29 (d) THE PROHIBITIONS SPECIFIED IN SECTION 12-37.3-105 (2);
30 (e) THE STATES IN WHICH THE NATUROPATHIC DOCTOR HOLDS AN
31 ACTIVE LICENSE OR REGISTRATION; AND
32 (f) HOW TO FILE A COMPLAINT AGAINST A NATUROPATHIC DOCTOR.

33 (2) A NATUROPATHIC DOCTOR SHALL OBTAIN A WRITTEN
34 ACKNOWLEDGMENT FROM THE PATIENT STATING THAT THE PATIENT HAS
35 BEEN PROVIDED THE INFORMATION DESCRIBED IN SUBSECTION (1) OF THIS
36 SECTION. THE NATUROPATHIC DOCTOR SHALL RETAIN THE
37 ACKNOWLEDGMENT FOR SEVEN YEARS AFTER THE DATE ON WHICH THE
38 LAST SERVICES WERE PROVIDED TO THE PATIENT.

39 (3) IF A NATUROPATHIC DOCTOR TREATS ANY PATIENT WHO IS
40 SEEKING TREATMENT FOR CANCER, THE NATUROPATHIC DOCTOR SHALL
41 RECOMMEND TO THE PATIENT THAT THE PATIENT CONSULT WITH A

1 LICENSED PHYSICIAN SPECIALIZING IN ONCOLOGY AND DOCUMENT THE
2 RECOMMENDATION IN WRITING.

3 **12-37.3-112. Grounds for discipline - disciplinary actions**
4 **authorized - procedures.** (1) THE DIRECTOR MAY DENY, REVOKE, OR
5 SUSPEND THE REGISTRATION OF, ISSUE A LETTER OF ADMONITION TO, OR
6 PLACE ON PROBATION A NATUROPATHIC DOCTOR FOR ANY OF THE
7 FOLLOWING ACTS OR OMISSIONS:

8 (a) VIOLATING, OR AIDING OR ABETTING ANOTHER IN THE
9 VIOLATION OF, THIS ARTICLE OR ANY RULE PROMULGATED BY THE
10 DIRECTOR PURSUANT TO THIS ARTICLE;

11 (b) FALSIFYING INFORMATION IN ANY APPLICATION, ATTEMPTING
12 TO OBTAIN OR OBTAINING A REGISTRATION BY FRAUD, DECEIT, OR
13 MISREPRESENTATION, OR AIDING OR ABETTING SUCH ACT;

14 (c) ENGAGING IN AN ACT OR OMISSION THAT DOES NOT MEET
15 GENERALLY ACCEPTED STANDARDS OF PRACTICE OF NATUROPATHIC
16 MEDICINE OR OF SAFE CARE FOR PATIENTS, WHETHER OR NOT ACTUAL
17 INJURY TO A PATIENT IS ESTABLISHED;

18 (d) HABITUAL OR EXCESSIVE USE OR ABUSE OF ALCOHOL, A
19 HABIT-FORMING DRUG, OR A CONTROLLED SUBSTANCE AS DEFINED IN
20 SECTION 18-18-102 (5), C.R.S.;

21 (e) FAILING TO REFER A PATIENT TO AN APPROPRIATE HEALTH
22 CARE PROFESSIONAL WHEN THE SERVICES REQUIRED BY THE PATIENT ARE
23 BEYOND THE LEVEL OF COMPETENCE OF THE NATUROPATHIC DOCTOR OR
24 BEYOND THE SCOPE OF NATUROPATHIC MEDICINE PRACTICE;

25 (f) VIOLATION OF A LAW OR REGULATION GOVERNING THE
26 PRACTICE OF NATUROPATHIC MEDICINE IN ANOTHER JURISDICTION;

27 (g) FALSIFYING, REPEATEDLY FAILING TO MAKE ESSENTIAL
28 ENTRIES IN, OR REPEATEDLY MAKING INCORRECT ESSENTIAL ENTRIES IN
29 PATIENT RECORDS;

30 (h) CONVICTION OF A FELONY, AN OFFENSE OF MORAL TURPITUDE,
31 OR A CRIME THAT WOULD CONSTITUTE A VIOLATION OF THIS ARTICLE. FOR
32 PURPOSES OF THIS PARAGRAPH (h), "CONVICTION" INCLUDES THE ENTRY
33 OF A PLEA OF GUILTY OR NOLO CONTENDERE OR THE IMPOSITION OF A
34 DEFERRED SENTENCE OR JUDGMENT.

35 (i) ADVERTISING THROUGH NEWSPAPERS, MAGAZINES, CIRCULARS,
36 DIRECT MAIL, DIRECTORIES, RADIO, TELEVISION, OR OTHERWISE THAT THE
37 NATUROPATHIC DOCTOR WILL PERFORM ANY ACT PROHIBITED BY THIS
38 ARTICLE;

39 (j) ENGAGING IN A SEXUAL ACT WITH A PATIENT DURING THE
40 COURSE OF PATIENT CARE OR WITHIN SIX MONTHS IMMEDIATELY
41 FOLLOWING THE WRITTEN TERMINATION OF THE PROFESSIONAL

1 RELATIONSHIP WITH THE PATIENT. AS USED IN THIS PARAGRAPH (j),
2 "SEXUAL ACT" MEANS SEXUAL CONTACT, SEXUAL INTRUSION, OR SEXUAL
3 PENETRATION, AS THOSE TERMS ARE DEFINED IN SECTION 18-3-401, C.R.S.
4 (k) COMMITTING ABUSE OF HEALTH INSURANCE, AS PROHIBITED BY
5 SECTION 18-13-119, C.R.S.;
6 (l) ADVERTISING THROUGH NEWSPAPERS, MAGAZINES, CIRCULARS,
7 DIRECT MAIL, DIRECTORIES, RADIO, TELEVISION, OR OTHERWISE THAT THE
8 NATUROPATHIC DOCTOR WILL PERFORM ANY ACT PROHIBITED BY SECTION
9 18-13-119 (3), C.R.S.;
10 (m) VIOLATING A VALID ORDER OF THE DIRECTOR;
11 (n) FAILING TO REPORT TO THE DIRECTOR, WITHIN THIRTY DAYS
12 AFTER AN ADVERSE ACTION, THAT AN ADVERSE ACTION HAS BEEN TAKEN
13 AGAINST THE NATUROPATHIC DOCTOR BY A LICENSING AGENCY IN
14 ANOTHER STATE OR COUNTRY, A PEER REVIEW BODY, A HEALTH CARE
15 INSTITUTION, A PROFESSIONAL OR NATUROPATHIC MEDICAL SOCIETY OR
16 ASSOCIATION, A GOVERNMENTAL AGENCY, A LAW ENFORCEMENT AGENCY,
17 OR A COURT FOR ACTS OR CONDUCT THAT WOULD CONSTITUTE GROUNDS
18 FOR DISCIPLINARY OR ADVERSE ACTION AS DESCRIBED IN THIS ARTICLE;
19 (o) FAILING TO REPORT TO THE DIRECTOR, WITHIN THIRTY DAYS:
20 (I) THE SURRENDER OF A LICENSE OR OTHER AUTHORIZATION TO
21 PRACTICE AS A NATUROPATHIC DOCTOR IN ANOTHER STATE OR
22 JURISDICTION; OR
23 (II) THE SURRENDER OF MEMBERSHIP ON A MEDICAL STAFF OR IN
24 A NATUROPATHIC MEDICAL OR PROFESSIONAL ASSOCIATION OR SOCIETY
25 WHILE UNDER INVESTIGATION BY ANY OF THOSE AUTHORITIES OR BODIES
26 FOR ACTS OR CONDUCT SIMILAR TO ACTS OR CONDUCT THAT WOULD
27 CONSTITUTE GROUNDS FOR ACTION AS DESCRIBED IN THIS ARTICLE;
28 (p) (I) FAILING TO NOTIFY THE DIRECTOR OF A PHYSICAL OR
29 MENTAL ILLNESS OR CONDITION THAT AFFECTS THE NATUROPATHIC
30 DOCTOR'S ABILITY TO TREAT PATIENTS WITH REASONABLE SKILL AND
31 SAFETY OR THAT MAY ENDANGER THE HEALTH OR SAFETY OF PERSONS
32 UNDER HIS OR HER CARE;
33 (II) FAILING TO ACT WITHIN THE LIMITATIONS CREATED BY A
34 PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT RENDERES THE
35 NATUROPATHIC DOCTOR UNABLE TO PRACTICE NATUROPATHIC MEDICINE
36 WITH REASONABLE SKILL AND SAFETY OR THAT MAY ENDANGER THE
37 HEALTH OR SAFETY OF PERSONS UNDER HIS OR HER CARE; OR
38 (III) FAILING TO COMPLY WITH THE LIMITATIONS AGREED TO
39 UNDER A CONFIDENTIAL AGREEMENT ENTERED PURSUANT TO SECTION
40 12-37.3-116;
41 (q) FAILING TO TIMELY RESPOND TO A COMPLAINT FILED AGAINST

1 THE NATUROPATHIC DOCTOR;

2 (r) FAILING TO DEVELOP A WRITTEN PLAN FOR THE SECURITY OF
3 PATIENT MEDICAL RECORDS IN ACCORDANCE WITH SECTION 12-37.3-115;

4 (s) REFUSING TO SUBMIT TO A PHYSICAL OR MENTAL EXAMINATION
5 WHEN SO ORDERED BY THE DIRECTOR PURSUANT TO SECTION 12-37.3-117;

6 (t) FAILING TO OBTAIN AND CONTINUALLY MAINTAIN
7 PROFESSIONAL LIABILITY INSURANCE AS REQUIRED BY SECTION
8 12-37.3-114.

9 (2) IN ADDITION TO OR AS AN ALTERNATIVE TO THE DISCIPLINE
10 AUTHORIZED BY SUBSECTION (1) OF THIS SECTION, THE DIRECTOR MAY
11 ASSESS AN ADMINISTRATIVE FINE OF UP TO FIVE THOUSAND DOLLARS
12 AGAINST A NATUROPATHIC DOCTOR WHO COMMITS ANY OF THE ACTS OR
13 OMISSIONS DESCRIBED IN SUBSECTION (1) OF THIS SECTION. THE DIRECTOR
14 SHALL TRANSMIT ANY MONEYS COLLECTED PURSUANT TO THIS
15 SUBSECTION (2) TO THE STATE TREASURER FOR DEPOSIT IN THE GENERAL
16 FUND.

17 (3) ANY PERSON WHOSE REGISTRATION IS REVOKED OR WHO
18 SURRENDERS HIS OR HER REGISTRATION TO AVOID DISCIPLINE IS
19 INELIGIBLE TO APPLY FOR A REGISTRATION UNDER THIS ARTICLE FOR AT
20 LEAST TWO YEARS AFTER THE DATE OF REVOCATION OR SURRENDER OF
21 THE REGISTRATION.

22 (4) THE DIRECTOR SHALL CONDUCT ANY PROCEEDING TO DENY,
23 SUSPEND, OR REVOKE A REGISTRATION OR PLACE A NATUROPATHIC
24 DOCTOR ON PROBATION IN ACCORDANCE WITH SECTIONS 24-4-104 AND
25 24-4-105, C.R.S. THE DIRECTOR MAY DESIGNATE AN ADMINISTRATIVE
26 LAW JUDGE PURSUANT TO PART 10 OF ARTICLE 30 OF TITLE 24, C.R.S., TO
27 CONDUCT THE PROCEEDING. THE ADMINISTRATIVE LAW JUDGE SHALL
28 CONDUCT THE PROCEEDING IN ACCORDANCE WITH SECTIONS 24-4-104 AND
29 24-4-105, C.R.S. A FINAL DECISION OF THE DIRECTOR OR THE
30 ADMINISTRATIVE LAW JUDGE IS SUBJECT TO JUDICIAL REVIEW BY THE
31 COURT OF APPEALS PURSUANT TO SECTION 24-4-106 (11), C.R.S.

32 (5) THE DIRECTOR MAY ACCEPT AS PRIMA FACIE EVIDENCE OF
33 GROUNDS FOR DISCIPLINARY ACTION ANY DISCIPLINARY ACTION TAKEN
34 AGAINST A NATUROPATHIC DOCTOR BY ANOTHER JURISDICTION IF THE
35 VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION WOULD BE
36 GROUNDS FOR DISCIPLINARY ACTION UNDER THIS ARTICLE.

37 (6) (a) THE DIRECTOR OR AN ADMINISTRATIVE LAW JUDGE MAY
38 ADMINISTER OATHS, TAKE AFFIRMATIONS OF WITNESSES, AND ISSUE
39 SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE
40 PRODUCTION OF ALL RELEVANT PAPERS, BOOKS, RECORDS, DOCUMENTARY
41 EVIDENCE, AND MATERIALS IN ANY HEARING, INVESTIGATION,

1 ACCUSATION, OR OTHER MATTER BEFORE THE DIRECTOR OR
2 ADMINISTRATIVE LAW JUDGE. THE DIRECTOR MAY APPOINT AN
3 ADMINISTRATIVE LAW JUDGE PURSUANT TO PART 10 OF ARTICLE 30 OF
4 TITLE 24, C.R.S., TO TAKE EVIDENCE AND TO MAKE FINDINGS AND REPORT
5 THEM TO THE DIRECTOR, INCLUDING HOSPITAL AND NATUROPATHIC
6 DOCTOR RECORDS. THE PERSON PROVIDING COPIES OF RECORDS SHALL
7 PREPARE THE COPIES FROM THE ORIGINAL RECORD, DELETING THE NAME
8 OF THE PATIENT AND INSTEAD IDENTIFYING THE PATIENT BY A NUMBERED
9 CODE. UPON CERTIFICATION BY THE CUSTODIAN THAT THE COPIES ARE
10 TRUE AND COMPLETE EXCEPT FOR THE PATIENT'S NAME, THE COPIES ARE
11 DEEMED AUTHENTIC, SUBJECT TO THE RIGHT TO INSPECT THE ORIGINALS
12 FOR THE LIMITED PURPOSE OF ASCERTAINING THE ACCURACY OF THE
13 COPIES. THE COPIES ARE NOT CONFIDENTIAL, AND THE DIRECTOR OR
14 CUSTODIAN OF THE RECORDS AND THEIR AUTHORIZED EMPLOYEES ARE
15 NOT LIABLE FOR FURNISHING OR USING THE COPIES IN ACCORDANCE WITH
16 THIS SECTION.

17 (b) IF A WITNESS OR NATUROPATHIC DOCTOR FAILS TO COMPLY
18 WITH A SUBPOENA OR PROCESS, THE DIRECTOR MAY APPLY TO THE
19 DISTRICT COURT OF THE COUNTY IN WHICH THE SUBPOENAED PERSON OR
20 NATUROPATHIC DOCTOR RESIDES OR CONDUCTS BUSINESS FOR AN ORDER
21 DIRECTING THE PERSON OR NATUROPATHIC DOCTOR TO APPEAR BEFORE
22 THE DIRECTOR; TO PRODUCE THE RELEVANT PAPERS, BOOKS, RECORDS,
23 DOCUMENTARY EVIDENCE, OR MATERIALS IF SO ORDERED; OR TO GIVE
24 EVIDENCE TOUCHING THE MATTER UNDER INVESTIGATION OR IN QUESTION.
25 THE DIRECTOR SHALL PROVIDE NOTICE TO THE SUBPOENAED PERSON OR
26 NATUROPATHIC DOCTOR OF THE DIRECTOR'S APPLICATION TO THE DISTRICT
27 COURT, AND THE COURT SHALL NOT ISSUE THE ORDER ABSENT THE NOTICE.
28 IF THE SUBPOENAED PERSON OR NATUROPATHIC DOCTOR FAILS TO OBEY
29 THE COURT'S ORDER, THE COURT MAY HOLD THE PERSON IN CONTEMPT OF
30 COURT.

31 (7) (a) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
32 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR, DOES
33 NOT WARRANT FORMAL ACTION BY THE DIRECTOR BUT THAT SHOULD NOT
34 BE DISMISSED AS BEING WITHOUT MERIT, THE DIRECTOR MAY ISSUE A
35 LETTER OF ADMONITION TO THE NATUROPATHIC DOCTOR.

36 (b) WHEN THE DIRECTOR SENDS A LETTER OF ADMONITION TO A
37 REGISTRANT, THE LETTER MUST ADVISE THE REGISTRANT THAT HE OR SHE
38 HAS THE RIGHT TO REQUEST IN WRITING, WITHIN TWENTY DAYS AFTER
39 RECEIPT OF THE LETTER, THAT FORMAL DISCIPLINARY PROCEEDINGS BE
40 INITIATED TO ADJUDICATE THE PROPRIETY OF THE CONDUCT UPON WHICH
41 THE LETTER OF ADMONITION IS BASED.

1 (c) IF THE REGISTRANT TIMELY REQUESTS ADJUDICATION, THE
2 DIRECTOR SHALL VACATE THE LETTER OF ADMONITION AND PROCESS THE
3 MATTER BY MEANS OF FORMAL DISCIPLINARY PROCEEDINGS.

4 (8) WHEN A COMPLAINT OR INVESTIGATION DISCLOSES AN
5 INSTANCE OF CONDUCT THAT DOES NOT WARRANT FORMAL ACTION BY THE
6 DIRECTOR AND, IN THE OPINION OF THE DIRECTOR, SHOULD BE DISMISSED,
7 BUT THE DIRECTOR HAS NOTICED INDICATIONS OF POSSIBLE ERRANT
8 CONDUCT BY THE REGISTRANT THAT COULD LEAD TO SERIOUS
9 CONSEQUENCES IF NOT CORRECTED, THE DIRECTOR MAY SEND THE
10 REGISTRANT A CONFIDENTIAL LETTER OF CONCERN.

11 (9) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
12 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE DIRECTOR,
13 WARRANTS FORMAL ACTION, THE DIRECTOR SHALL NOT RESOLVE THE
14 COMPLAINT BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR
15 PROSECUTION.

16 (10) (a) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
17 EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT BY ANY PERSON, THAT
18 A REGISTRANT IS ACTING IN A MANNER THAT IS AN IMMINENT THREAT TO
19 THE HEALTH AND SAFETY OF THE PUBLIC OR A PERSON IS ACTING OR HAS
20 ACTED WITHOUT THE REQUIRED REGISTRATION, THE DIRECTOR MAY ISSUE
21 AN ORDER TO CEASE AND DESIST THE ACTIVITY. THE DIRECTOR SHALL SET
22 FORTH IN THE ORDER THE STATUTES AND RULES ALLEGED TO HAVE BEEN
23 VIOLATED, THE FACTS ALLEGED TO HAVE CONSTITUTED THE VIOLATION,
24 AND THE REQUIREMENT THAT ALL UNLAWFUL ACTS OR UNREGISTERED
25 PRACTICES IMMEDIATELY CEASE.

26 (b) WITHIN TEN DAYS AFTER SERVICE OF THE ORDER TO CEASE AND
27 DESIST PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (10), THE
28 RESPONDENT MAY REQUEST A HEARING ON THE QUESTION OF WHETHER
29 ACTS OR PRACTICES IN VIOLATION OF THIS ARTICLE HAVE OCCURRED. THE
30 DIRECTOR OR ADMINISTRATIVE LAW JUDGE SHALL CONDUCT THE HEARING
31 IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105, C.R.S.

32 (11) (a) IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE
33 EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT BY ANY PERSON, THAT
34 A PERSON HAS VIOLATED ANY OTHER PORTION OF THIS ARTICLE, THE
35 DIRECTOR MAY ISSUE TO THE PERSON AN ORDER TO SHOW CAUSE AS TO
36 WHY THE DIRECTOR SHOULD NOT ISSUE A FINAL ORDER DIRECTING THE
37 PERSON TO CEASE AND DESIST FROM THE UNLAWFUL ACT OR
38 UNREGISTERED PRACTICE.

39 (b) THE DIRECTOR SHALL PROMPTLY NOTIFY THE PERSON THAT HE
40 OR SHE HAS BEEN ISSUED AN ORDER TO SHOW CAUSE. THE DIRECTOR
41 SHALL INCLUDE IN THE NOTICE A COPY OF THE ORDER, THE FACTUAL AND

1 LEGAL BASIS FOR THE ORDER, AND THE DATE SET BY THE DIRECTOR FOR A
2 HEARING ON THE ORDER. THE DIRECTOR MAY SERVE THE NOTICE ON THE
3 PERSON BY PERSONAL SERVICE, BY FIRST-CLASS UNITED STATES MAIL,
4 POSTAGE PREPAID, OR IN ANY OTHER MANNER THAT IS PRACTICABLE.
5 PERSONAL SERVICE OR MAILING OF AN ORDER OR DOCUMENT PURSUANT
6 TO THIS SUBSECTION (11) CONSTITUTES NOTICE TO THE PERSON.

7 (c) (I) THE DIRECTOR SHALL COMMENCE THE HEARING ON AN
8 ORDER TO SHOW CAUSE NO EARLIER THAN TEN AND NO LATER THAN
9 FORTY-FIVE CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR
10 SERVICE OF THE NOTIFICATION BY THE DIRECTOR AS PROVIDED IN
11 PARAGRAPH (b) OF THIS SUBSECTION (11). THE DIRECTOR MAY CONTINUE
12 THE HEARING UPON AGREEMENT OF ALL PARTIES BASED UPON THE
13 COMPLEXITY OF THE MATTER, THE NUMBER OF PARTIES TO THE MATTER,
14 AND THE LEGAL ISSUES PRESENTED IN THE MATTER, BUT IN NO EVENT
15 SHALL THE DIRECTOR CONTINUE THE HEARING MORE THAN SIXTY
16 CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR SERVICE OF THE
17 NOTIFICATION.

18 (II) IF A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
19 BEEN ISSUED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (11) DOES
20 NOT APPEAR AT THE HEARING, THE DIRECTOR MAY PRESENT EVIDENCE
21 THAT NOTIFICATION WAS PROPERLY SENT OR SERVED UPON THE PERSON
22 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (11) AND OTHER
23 EVIDENCE RELATED TO THE MATTER THAT THE DIRECTOR DEEMS
24 APPROPRIATE. THE DIRECTOR SHALL ISSUE THE ORDER WITHIN TEN DAYS
25 AFTER THE DIRECTOR'S DETERMINATION RELATED TO REASONABLE
26 ATTEMPTS TO NOTIFY THE RESPONDENT, AND THE ORDER IS FINAL AS TO
27 THAT PERSON BY OPERATION OF LAW. THE DIRECTOR SHALL CONDUCT THE
28 HEARING IN ACCORDANCE WITH SECTIONS 24-4-104 AND 24-4-105, C.R.S.

29 (III) IF THE DIRECTOR REASONABLY FINDS THAT THE PERSON
30 AGAINST WHOM THE ORDER TO SHOW CAUSE WAS ISSUED IS ACTING OR
31 HAS ACTED WITHOUT THE REQUIRED REGISTRATION OR HAS OR IS ABOUT
32 TO ENGAGE IN ACTS OR PRACTICES CONSTITUTING VIOLATIONS OF THIS
33 ARTICLE, THE DIRECTOR MAY ISSUE A FINAL CEASE-AND-DESIST ORDER
34 DIRECTING THE PERSON TO CEASE AND DESIST FROM FURTHER UNLAWFUL
35 ACTS OR UNREGISTERED PRACTICES.

36 (IV) THE DIRECTOR SHALL PROVIDE NOTICE, IN THE MANNER SET
37 FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (11), OF THE FINAL
38 CEASE-AND-DESIST ORDER WITHIN TEN CALENDAR DAYS AFTER THE
39 HEARING CONDUCTED PURSUANT TO THIS PARAGRAPH (c) TO EACH PERSON
40 AGAINST WHOM THE FINAL ORDER HAS BEEN ISSUED. THE FINAL ORDER IS
41 EFFECTIVE WHEN ISSUED AND IS A FINAL ORDER FOR PURPOSES OF JUDICIAL

1 REVIEW.

2 (12) THE DIRECTOR MAY ENTER INTO A STIPULATION WITH A
3 PERSON IF IT APPEARS TO THE DIRECTOR, BASED UPON CREDIBLE EVIDENCE
4 PRESENTED TO THE DIRECTOR, THAT THE PERSON HAS ENGAGED IN OR IS
5 ABOUT TO ENGAGE IN:

6 (a) AN UNREGISTERED ACT OR PRACTICE;

7 (b) AN ACT OR PRACTICE CONSTITUTING A VIOLATION OF THIS
8 ARTICLE OR OF ANY RULE PROMULGATED PURSUANT TO THIS ARTICLE;

9 (c) AN ORDER ISSUED PURSUANT TO THIS ARTICLE; OR

10 (d) AN ACT OR PRACTICE CONSTITUTING GROUNDS FOR
11 ADMINISTRATIVE SANCTION PURSUANT TO THIS ARTICLE.

12 (13) IF A PERSON FAILS TO COMPLY WITH A FINAL
13 CEASE-AND-DESIST ORDER OR A STIPULATION, THE DIRECTOR MAY
14 REQUEST THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY FOR THE
15 JUDICIAL DISTRICT IN WHICH THE ALLEGED VIOLATION OCCURRED OR IS
16 OCCURRING TO BRING, AND IF SO REQUESTED THE ATTORNEY SHALL BRING,
17 SUIT FOR A TEMPORARY RESTRAINING ORDER AND FOR INJUNCTIVE RELIEF
18 TO PREVENT ANY FURTHER OR CONTINUED VIOLATION OF THE FINAL
19 ORDER.

20 (14) A PERSON AGGRIEVED BY THE FINAL CEASE-AND-DESIST
21 ORDER MAY SEEK JUDICIAL REVIEW OF THE DIRECTOR'S DETERMINATION
22 OR OF THE DIRECTOR'S FINAL ORDER IN A COURT OF COMPETENT
23 JURISDICTION.

24 **12-37.3-113. Unauthorized practice - penalties.** A PERSON WHO
25 PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE AS A NATUROPATHIC
26 DOCTOR WITHOUT AN ACTIVE REGISTRATION ISSUED UNDER THIS ARTICLE
27 COMMITS A CLASS 2 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED
28 IN SECTION 18-1.3-501, C.R.S.

29 **12-37.3-114. Professional liability insurance required -**
30 **vicarious liability - rules.** (1) IT IS UNLAWFUL FOR A PERSON TO
31 PRACTICE AS A NATUROPATHIC DOCTOR IN THIS STATE UNLESS THE PERSON
32 IS COVERED BY PROFESSIONAL LIABILITY INSURANCE IN AN AMOUNT NOT
33 LESS THAN ONE MILLION DOLLARS.

34 (2) PROFESSIONAL LIABILITY INSURANCE REQUIRED BY THIS
35 SECTION MUST COVER ALL ACTS WITHIN THE SCOPE OF PRACTICE OF A
36 NATUROPATHIC DOCTOR.

37 (3) A NATUROPATHIC DOCTOR IS LIABLE FOR HIS OR HER ACTS OR
38 OMISSIONS IN THE PERFORMANCE OF NATUROPATHIC MEDICINE.

39 **12-37.3-115. Protection of medical records - registrant's**
40 **obligations - verification of compliance - noncompliance grounds for**
41 **discipline - rules.** (1) EACH NATUROPATHIC DOCTOR SHALL DEVELOP A

1 WRITTEN PLAN TO ENSURE THE SECURITY OF PATIENT MEDICAL RECORDS.
2 THE PLAN MUST ADDRESS AT LEAST THE FOLLOWING:

3 (a) THE STORAGE AND PROPER DISPOSAL OF PATIENT MEDICAL
4 RECORDS;

5 (b) THE DISPOSITION OF PATIENT MEDICAL RECORDS IN THE EVENT
6 THE NATUROPATHIC DOCTOR DIES, RETIRES, OR OTHERWISE CEASES TO
7 PRACTICE OR PROVIDE NATUROPATHIC MEDICAL CARE TO PATIENTS; AND

8 (c) THE METHOD BY WHICH PATIENTS MAY ACCESS OR OBTAIN
9 THEIR MEDICAL RECORDS PROMPTLY IF ANY OF THE EVENTS DESCRIBED IN
10 PARAGRAPH (b) OF THIS SUBSECTION (1) OCCURS.

11 (2) UPON INITIAL REGISTRATION UNDER THIS ARTICLE, THE
12 APPLICANT OR REGISTRANT SHALL ATTEST TO THE DIRECTOR THAT HE OR
13 SHE HAS DEVELOPED A PLAN IN COMPLIANCE WITH THIS SECTION.

14 (3) A NATUROPATHIC DOCTOR SHALL INFORM EACH PATIENT IN
15 WRITING OF THE METHOD BY WHICH THE PATIENT MAY ACCESS OR OBTAIN
16 HIS OR HER MEDICAL RECORDS IF AN EVENT DESCRIBED IN PARAGRAPH (b)
17 OF SUBSECTION (1) OF THIS SECTION OCCURS.

18 (4) THE DIRECTOR MAY ADOPT RULES REASONABLY NECESSARY TO
19 IMPLEMENT THIS SECTION.

20 **12-37.3-116. Confidential agreement to limit practice -**
21 **violation - grounds for discipline.** (1) IF A NATUROPATHIC DOCTOR HAS
22 A PHYSICAL OR MENTAL ILLNESS OR CONDITION THAT RENDERS HIM OR
23 HER UNABLE TO PRACTICE NATUROPATHIC MEDICINE WITH REASONABLE
24 SKILL AND SAFETY TO PATIENTS, THE NATUROPATHIC DOCTOR SHALL
25 NOTIFY THE DIRECTOR OF THE ILLNESS OR CONDITION IN A MANNER AND
26 WITHIN A PERIOD DETERMINED BY THE DIRECTOR. THE DIRECTOR MAY
27 REQUIRE THE NATUROPATHIC DOCTOR TO SUBMIT TO AN EXAMINATION TO
28 EVALUATE THE EXTENT OF THE ILLNESS OR CONDITION AND ITS IMPACT ON
29 THE NATUROPATHIC DOCTOR'S ABILITY TO PRACTICE NATUROPATHIC
30 MEDICINE WITH REASONABLE SKILL AND SAFETY TO PATIENTS.

31 (2) (a) UPON DETERMINING THAT A NATUROPATHIC DOCTOR WITH
32 A PHYSICAL OR MENTAL ILLNESS OR CONDITION IS ABLE TO RENDER
33 LIMITED SERVICES WITH REASONABLE SKILL AND SAFETY TO PATIENTS,
34 THE DIRECTOR MAY ENTER INTO A CONFIDENTIAL AGREEMENT WITH THE
35 NATUROPATHIC DOCTOR IN WHICH THE NATUROPATHIC DOCTOR AGREES
36 TO LIMIT HIS OR HER PRACTICE BASED ON THE RESTRICTIONS IMPOSED BY
37 THE ILLNESS OR CONDITION, AS DETERMINED BY THE DIRECTOR.

38 (b) AS PART OF THE AGREEMENT, THE NATUROPATHIC DOCTOR IS
39 SUBJECT TO PERIODIC REEVALUATIONS OR MONITORING AS DETERMINED
40 APPROPRIATE BY THE DIRECTOR.

41 (c) THE PARTIES MAY MODIFY OR DISSOLVE THE AGREEMENT AS

1 NECESSARY BASED ON THE RESULTS OF A REEVALUATION OR MONITORING.
2 (3) BY ENTERING INTO AN AGREEMENT WITH THE DIRECTOR
3 PURSUANT TO THIS SECTION TO LIMIT HIS OR HER PRACTICE, A
4 NATUROPATHIC DOCTOR IS NOT ENGAGING IN ACTIVITIES THAT ARE
5 PROHIBITED PURSUANT TO SECTION 12-37.3-112. THE AGREEMENT DOES
6 NOT CONSTITUTE A RESTRICTION OR DISCIPLINE BY THE DIRECTOR.
7 HOWEVER, IF THE NATUROPATHIC DOCTOR FAILS TO COMPLY WITH THE
8 TERMS OF AN AGREEMENT ENTERED INTO PURSUANT TO THIS SECTION, THE
9 FAILURE CONSTITUTES A PROHIBITED ACTIVITY PURSUANT TO SECTION
10 12-37.3-112 (1) (p), AND THE NATUROPATHIC DOCTOR IS SUBJECT TO
11 DISCIPLINE IN ACCORDANCE WITH SECTION 12-37.3-112.

12 (4) THIS SECTION DOES NOT APPLY TO A NATUROPATHIC DOCTOR
13 SUBJECT TO DISCIPLINE FOR PROHIBITED ACTIVITIES AS DESCRIBED IN
14 SECTION 12-37.3-112 (1) (d).

15 **12-37.3-117. Mental and physical examination of registrants.**

16 (1) IF THE DIRECTOR HAS REASONABLE CAUSE TO BELIEVE THAT A
17 REGISTRANT IS UNABLE TO PRACTICE WITH REASONABLE SKILL AND
18 SAFETY, THE DIRECTOR MAY REQUIRE THE REGISTRANT TO TAKE A MENTAL
19 OR PHYSICAL EXAMINATION BY A HEALTH CARE PROVIDER DESIGNATED BY
20 THE DIRECTOR. IF THE REGISTRANT REFUSES TO UNDERGO A MENTAL OR
21 PHYSICAL EXAMINATION, UNLESS DUE TO CIRCUMSTANCES BEYOND THE
22 REGISTRANT'S CONTROL, THE DIRECTOR MAY SUSPEND THE REGISTRANT'S
23 REGISTRATION UNTIL THE RESULTS OF THE EXAMINATION ARE KNOWN AND
24 THE DIRECTOR HAS MADE A DETERMINATION OF THE REGISTRANT'S
25 FITNESS TO PRACTICE. THE DIRECTOR SHALL PROCEED WITH AN ORDER FOR
26 EXAMINATION AND DETERMINATION IN A TIMELY MANNER.

27 (2) THE DIRECTOR SHALL INCLUDE IN AN ORDER ISSUED UNDER
28 SUBSECTION (1) OF THIS SECTION THE BASIS OF THE DIRECTOR'S
29 REASONABLE CAUSE TO BELIEVE THAT THE REGISTRANT IS UNABLE TO
30 PRACTICE WITH REASONABLE SKILL AND SAFETY. FOR THE PURPOSES OF A
31 DISCIPLINARY PROCEEDING AUTHORIZED BY THIS ARTICLE, THE
32 REGISTRANT IS DEEMED TO WAIVE ALL OBJECTIONS TO THE ADMISSIBILITY
33 OF THE EXAMINING HEALTH CARE PROVIDER'S TESTIMONY OR
34 EXAMINATION REPORTS ON THE GROUND THAT THE TESTIMONY AND
35 REPORTS ARE PRIVILEGED COMMUNICATIONS.

36 (3) THE REGISTRANT MAY SUBMIT TO THE DIRECTOR TESTIMONY
37 OR EXAMINATION REPORTS FROM A HEALTH CARE PROVIDER CHOSEN BY
38 THE REGISTRANT PERTAINING TO THE CONDITION THAT THE DIRECTOR
39 ALLEGES MAY PRECLUDE THE REGISTRANT FROM PRACTICING WITH
40 REASONABLE SKILL AND SAFETY. THE DIRECTOR MAY CONSIDER
41 TESTIMONY AND EXAMINATION REPORTS SUBMITTED BY THE REGISTRANT

1 IN CONJUNCTION WITH, BUT NOT IN LIEU OF, TESTIMONY AND
2 EXAMINATION REPORTS OF THE HEALTH CARE PROVIDER DESIGNATED BY
3 THE DIRECTOR.

4 (4) A PERSON SHALL NOT USE THE RESULTS OF ANY MENTAL OR
5 PHYSICAL EXAMINATION ORDERED BY THE DIRECTOR AS EVIDENCE IN ANY
6 PROCEEDING OTHER THAN ONE BEFORE THE DIRECTOR. THE EXAMINATION
7 RESULTS ARE NOT PUBLIC RECORDS AND ARE NOT AVAILABLE TO THE
8 PUBLIC.

9 **12-37.3-118. Inactive registration - rules.** A NATUROPATHIC
10 DOCTOR MAY REQUEST THAT THE DIRECTOR INACTIVATE OR ACTIVATE THE
11 NATUROPATHIC DOCTOR'S REGISTRATION. THE DIRECTOR SHALL
12 PROMULGATE RULES GOVERNING THE ACTIVATION AND INACTIVATION OF
13 REGISTRATIONS. NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE
14 DIRECTOR'S RULES MAY LIMIT THE APPLICABILITY OF STATUTORY
15 REQUIREMENTS FOR MAINTAINING PROFESSIONAL LIABILITY INSURANCE
16 AND CONTINUING PROFESSIONAL COMPETENCY FOR A REGISTRANT WHOSE
17 REGISTRATION IS CURRENTLY INACTIVE. THE DIRECTOR NEED NOT
18 REACTIVATE AN INACTIVE REGISTRATION IF THE NATUROPATHIC DOCTOR
19 HAS COMMITTED ANY ACT THAT WOULD BE GROUNDS FOR DISCIPLINARY
20 ACTION UNDER SECTION 12-37.3-112. A NATUROPATHIC DOCTOR WHOSE
21 REGISTRATION IS CURRENTLY INACTIVE SHALL NOT PRACTICE
22 NATUROPATHIC MEDICINE.

23 **12-37.3-119. Repeal of article.** THIS ARTICLE IS REPEALED,
24 EFFECTIVE SEPTEMBER 1, 2017. PRIOR TO THE REPEAL, THE DEPARTMENT
25 OF REGULATORY AGENCIES SHALL REVIEW REGISTERING OF
26 NATUROPATHIC DOCTORS AS PROVIDED IN SECTION 24-34-104, C.R.S.

27 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
28 (48.5) (d) as follows:

29 **24-34-104. General assembly review of regulatory agencies**
30 **and functions for termination, continuation, or reestablishment.**
31 (48.5) The following agencies, functions, or both, terminate on
32 September 1, 2017:

33 (d) THE REGISTERING OF NATUROPATHIC DOCTORS BY THE
34 DIRECTOR PURSUANT TO ARTICLE 37.3 OF TITLE 12, C.R.S.

35 **SECTION 3.** In Colorado Revised Statutes, 24-34-110, **add** (3)
36 (a) (XXI) as follows:

37 **24-34-110. Medical transparency act of 2010 - disclosure of**
38 **information about health care licensees - fines - rules - short title -**
39 **legislative declaration.** (3) (a) As used in this section, "applicant" means
40 a person applying for a new, active license, certification, or registration
41 or to renew, reinstate, or reactivate an active license, certification, or

1 registration to practice:

2 (XXI) NATUROPATHIC MEDICINE PURSUANT TO ARTICLE 37.3 OF
3 TITLE 12, C.R.S.

4 **SECTION 4. Act subject to petition - effective date.** This act
5 takes effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 7, 2013, if adjournment sine die is on May 8, 2013); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part will not take effect
11 unless approved by the people at the general election to be held in
12 November 2014 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor."

** **